



## CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 09/23/99

Agenda Item 2

**TO:** Planning Commission

**FROM:** Bashir Anastas, Development Review Engineer

**SUBJECT:** **TENTATIVE PARCEL MAP 6981 & VARIANCE No. 99-180-09** - Cory Squaglia (APPLICANT/OWNER) - Request to subdivide a 16,172 square-foot parcel into two single-family lots in an RS (Single-Family Residential) District. Request for variance for reduced lot width and variance from the requirement for a 2-car garage for an existing home.

*The property is located at 22756 Bayview Avenue, in the Upper "B" Street Neighborhood.*

### **RECOMMENDATION:**

It is recommended that the Planning Commission find that the project is categorically exempt from CEQA and deny Tentative Parcel Map 6981 based on the attached findings.

### **DISCUSSION:**

Parcel Map 6891 is a request to subdivide a 16,172-square-foot parcel into two lots of equal size, 8,086 square-feet each, in the RS District. Approval of the parcel map requires granting a variance for reduced lot width from 50 feet to 49.65 feet, and variance from the requirement for a two-car garage for an existing 1-bedroom house on Parcel 2. Because staff believes findings cannot be made to support the variance to delete the two-car garage, denial of the parcel map is recommended.

The property has a rolling terrain that slopes upward at an average rate of 8 percent away from the northwest corner of the site along Bayview Avenue. The property is surrounded on all sides by residential development.

Water, sewer, and storm drain mains within Bayview Avenue have adequate capacity to serve the project. A preliminary geotechnical investigation conducted in 1998 indicates that the site is suitable for the type of development proposed. Prior to approval of the parcel map a tree survey and arborist report will be required in order to assure preservation of healthy trees on the site.

The General Plan designates the site for Low-Density Residential development (4.3 - 8.7 dwelling units per acre) within a Single-Family Residential (RS) District. The project is consistent with these designations in that the proposed density is 5.3 units per acre. The project (except for the variance) is also in conformance with the *Upper "B" Street Neighborhood Plan*, in that it maintains the neighborhood's single-family residential character.

## VARIANCE REQUEST

The applicant proposes to construct a one-car carport on Parcel 2 instead of the required two-car garage and is requesting a variance from the two-car garage requirement on the basis that 1) the lot topography and the placement of the house on the lot do not permit easy accommodation of a two-car garage; 2) other homes in the vicinity do not have a 2-car garage; and 3) the proposed carport is sufficient for a 1-bedroom home.

The Zoning Ordinance requires a minimum of two parking spaces per single-family dwelling to be provided within an enclosed garage. This requirement is uniformly applied to single-family home construction in the City, and is thought to preserve the character and integrity of neighborhoods, in that it helps provide for secure parking and serves to enhance property values. The site has sufficient area and can be graded to accommodate a new 2-car garage. The applicant's contention that other properties do not have two-car garages refers to a duplex next door to his property where a substandard garage was converted to living space. Staff does not believe this to be an adequate justification for granting the variance. The parcel map should create properties and homes that are consistent with the majority of homes in the neighborhood and with the City Ordinance. Although there may be one or two homes in the neighborhood with a one-car garage or no garage at all, those should remain the exception pending redevelopment of those properties. Finally, it appears that cost is a factor for requesting the variance since the applicant is proposing a one-car carport instead of a garage as shown on the map.

The variance request for reduced lot width from 50 feet to 49.65 feet is deemed a minor one and will not significantly compromise the development potential of the proposed lots.

## ENVIRONMENTAL REVIEW

The project is exempt from environmental review as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15332, *In-Fill Development Projects*.

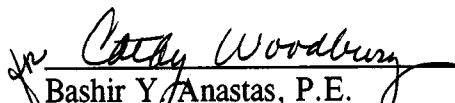
## PUBLIC HEARING NOTICE

On May 1, 1997, a notice for a preliminary meeting was mailed to all property owners and residents within 300 feet of the subject property. None other than the applicant attended the meeting which was held on May 15, 1997.

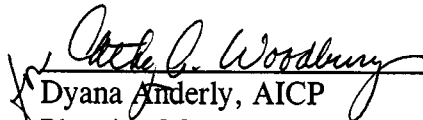
## CONCLUSION

Staff recommends denial of the parcel map and variance request as the proposed project is not consistent with the City's Zoning Ordinance.

Prepared by:

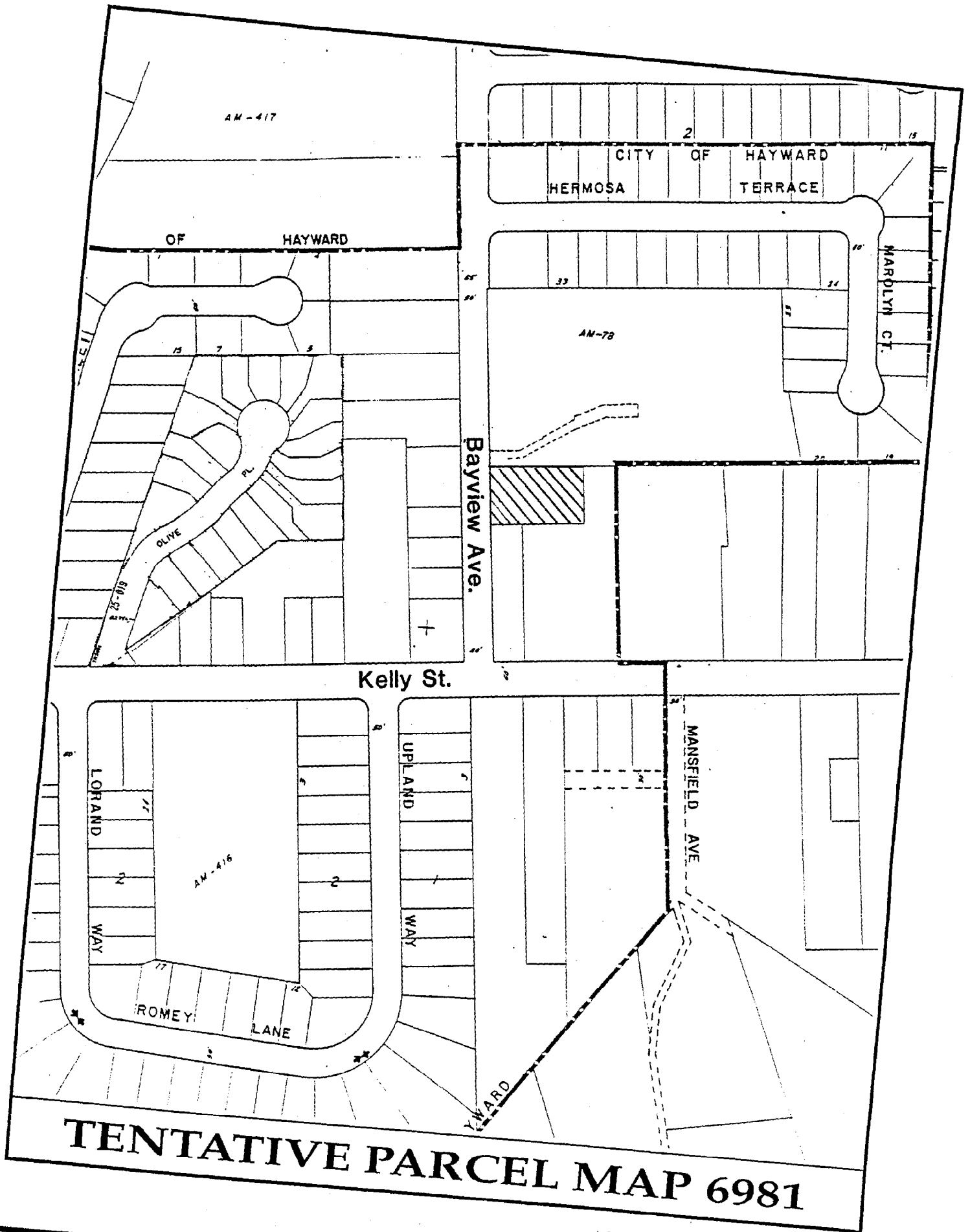
  
Bashir Y. Anastas, P.E.  
Development Review Engineer

Recommended by:

  
Dyana Anderly, AICP  
Planning Manager

Attachments:

- A. Area and Zoning Map
- B. Findings for Denial - Tentative Parcel Map 6981  
Tentative Parcel Map 6981



**FINDINGS FOR DENIAL  
TENTATIVE PARCEL MAP 6981**

The Planning Commission finds that the tentative parcel map, as proposed, does not conform to the Zoning Ordinance and the City's Subdivision Regulations, in that the map does not have adequate provision for off-street parking per City Standards, and there are no special circumstances to justify the granting of variance from these requirements.